

TOWN OF EGREMONT, MASSACHUSETTS  
MEETING OF THE SELECT BOARD  
MINUTES

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Date: July 16, 2020

Time: 10:00am

Place: Via Zoom Meeting  
Egremont

Present via zoom meeting were Chairman George McGurn, Vice-Chair Lucinda Fenn-Vermeulen, Board member Mary Brazie. Others in participating: Marj Wexler, Mary McGurn, Lisa?, Sara Frank, Cindy Schneider, Erika Nelson, Barbara Kalish, Marshal Bouton, Susan Warshaw, Noah Kushlefsky, Barbara Partee, Janny Baek, Eileen and Alan Briendel, Karen?, Ipad174, Donna Bersch, Lainie Kaplan, Nick Keene, Steve Ide, Sanny Malik, Kenneth Murphy, Maggie Buchwald, Marie Saunders, Lisa Williams, Erika Nielson, Amy Edleman, Bonnie Bassis, Ann Martz, Rick Ramsay, Vicki Kay, Mike?, Susan Obel, Susan Bachelder, Heather Mooney, Ed Regendahl, Joan Kleinman, Peter Puciloski, Chuck Ogden, Ken Gogel, Joan Goodkind, Heidi Zorn, Eileen Vining, Alex Glover, Steve Cohen, Liz Marino, Robert Derector, Rich Montone, Deb Ramsay, Abigail McKee, Brett Kaplan, Steve Ide, Lannon Killea, Barbara?

It was announced that the meeting is video and audio recorded. Here is a link to the full zoom meeting:  
[Selectboard7162020.m4a](#)

Chairman McGurn made an introductory statement that the meeting would only last 1.5 hours. Each speaker would have 4 minutes to speak and should not repeat what others have said. He noted that 535 registered voters voted to legalize recreational marijuana with only 85 voting no. Egremont has no bylaws regulating retail marijuana sales. There is currently 1 retail marijuana shop licensed in Egremont. On May 7, 2019 the town defeated a proposed bylaw presented by the Planning Board that would limit recreational marijuana to retail shops only, 66 against, 47 for.

Attorney Ken Gogel spoke on behalf of several residents who have formed Egremont Together to oppose the retail marijuana shop being proposed at 195 Hillsdale Road by Emerald River LLC. Attorney Gogel spoke to the issues that the principals of Emerald River LLC, Morriss Partee and Matthew Moriarty, have had in the past, both legal and otherwise, in other town's under other corporate names. There is currently a pending law suit against both parties under their former business name of Positronic. Attorney Glogel twice stated that neither Mr. Partee nor Mr. Moriarty were indicted or accused of any wrong doing.

Chairman McGurn noted that there is currently no Host Community Agreement(HCA). The Board was approached on January 6 by Emerald River LLC for an HCA. The Board said that a location for the retail shop needed to be established before an HCA would be considered and that when it was Town Counsel could negotiate an HCA. The HCA has not been presented in final form yet. In response to a question asked, Chairman McGurn confirmed that there has been no private discussion. The Board agreed to use the HCA signed for the Zorn's retail shop as a template.

Rich Montone read from a prepared statement that included an amalgamation of many community voices. Approximately 187 Egremont residents who appear on the petition submitted to town officials this morning express their desire to have the Town turn down any permits for a Retail Marijuana Shop at 195 Hillsdale and with Emerald River LLC because the neighborhood is fully residential in character and nothing in its character and ecological features suggest it is a natural location for a busy, developed,

destination retail, making 195 Hillsdale Road a suitable location for a recreational cannabis store. (The text of the full statement is on file at Town Hall.)

Rich Ramsay spoke on behalf of the 192 taxpaying citizens in the surrounding area of 195 Hillsdale Rd. who are adamantly opposed to a marijuana dispensary called Emerald River LLC. Some of our most serious concerns are that the demographics of a neighborhood with families; traffic concerns; and ownership of the proposed business is not local. (The text of the full statement is on file at Town Hall.)

Chairman McGurn noted that there has been no preferential treatment and the Town is required to engage with Emerald River LLC. He reported that MassDOT has recorded 6300 cars per day with 9% of them being trailer trucks on Route 23 that pass by Taconic Lane every day.

Attorney Peter Puciloski, representing Emerald River LLC, noted that the definitive plans would be presented to the Planning Board not to the Selectboard. Those plans are formulated based on the information gained during the outreach meeting. He also noted that the character of the principals in Emerald River LLC is not for the Board to decide, but is part of the licensing process with the Cannabis Control Commission (CCC). He promised that the concerns being noted here, and during the outreach meeting will be addressed when the final plans are submitted to the Planning Board.

Attorney Alex Glover, representing Emerald River LLC, said that the illegal act was by one member of the Positronic, not Mr. Partee and Mr. Moriarty, in fact that Mr. Partee got involved to help the organization.

Selectwoman Brazie moved to end negotiations on a Host Community Agreement with Emerald River LLC for the location at 195 Hillsdale Road. She said she did not want to close the door to negotiations with Emerald River LLC at another location in Egremont nor did she want to limit the number of retail shops allowed in Egremont."

Chairman McGurn noted that the law required the Board to consider an HCA with Emerald River LLC.

Vice-chairman Vermeulen seconded the motion.

Chairman McGurn did not entertain a vote on the matter. He said that the next step would be to call another meeting to discuss the matter.

Selectwoman Brazie was asked to put her motion in writing and agreed to do so.

The Board agreed to open the playground to use at one's own risk. The swings will be put back up and signs will be posted. The crew will spray sanitize the equipment on weekday mornings.

The Board will discuss the dog park at its July 28 meeting. Until that time the dog park will remain open by self-reservation for Egremont residents only.

Meeting adjourned at 11:39am.

Mary Brazie,  
Office Administrator

minutes.20/jul16

*The recording of the minutes is on record at the Town Hall for 90 days. Anyone who wishes to may*

*obtain a copy or listen to the recording at Town Hall. Attachments are on file at Town Hall.*